

1 Law Offices of Robert K. Wright
2 Robert K. Wright (SBN 73235)
3 rkwlaw@earthlink.net
4 301 North Lake Avenue, Suite 700
5 Pasadena, CA. 91101
6 Telephone: (626) 796-2664
7 Fax: (626) 796-1601

8 NELSON & McCULLOCH LLP
9 Kevin McCulloch (to be admitted *pro hac vice*)
10 kmcculloch@nelsonmcculloch.com
11 155 East 56th Street
12 New York, New York 10022
13 Telephone: (212) 355-6050
14 Fax: (646) 308-1178

15 Attorneys for Plaintiffs

16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 ERICKSON PRODUCTIONS, INC. and
19 JIM ERICKSON,

20 *Plaintiffs,*

21 v.

22 KRAIG R. KAST,

23 *Defendant.*

24 Civil Case No.

25 **CV 13-7160 PBD (AJWx)**

26 **JURY TRIAL DEMANDED**

27 **COMPLAINT**

28 Plaintiffs Erickson Productions, Inc. and Jim Erickson ("Plaintiffs"), by and through
undersigned counsel, demand a trial by jury of all claims and issues so triable, and, as and for
their Complaint for copyright infringement against Defendant Kraig R. Kast ("Kast"), hereby
assert and allege as follows:

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

13 SEP 27 AM 11:13

FILED

NATURE OF THE ACTION

1 1. This action seeks damages based upon Defendant Kast's willful infringements
2 of Plaintiffs' copyrights in three original, copyrighted works.

PROCEDURAL BACKGROUND

5 2. Plaintiffs originally filed this action on March 7, 2012 in the United States
6 District Court for the Southern District of New York, asserting claims for copyright
7 infringement against Defendant Kast and a business that he operated under the name
8 "Atherton Trust" along with Only Websites, Inc., a company that Kast engaged to create the
9 allegedly infringing website.

11 3. In that action, Plaintiffs alleged that venue was proper in that district under 28
12 U.S.C. § 1391 since the misconduct by defendants occurred in that district and the defendants
13 infringed Plaintiffs' copyrights within the State of New York.

14 4. The action in the Southern District of New York was docketed under Case
15 No. 1:12-cv-1693.

17 5. On or about May 15, 2012, Defendant Kast moved to dismiss the claims
18 against him under Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction.
19 (Dkt. No. 3.) In that motion, Kast argued that this action was "most appropriately heard in
20 the Central District of California" for various reasons, including because it was most
21 convenient for Defendant and Defendant's (unnamed) "internet industry experts" to litigate
22 in this District. (*Id.* at 10.)

24 6. On or about September 26, 2012, Plaintiffs moved for default judgment
25 against Defendants Atherton Trust and Only Websites, Inc. because they failed to respond to
26 the complaint or otherwise appear in the action. (Dkt. No. 9.)

7. Plaintiffs' motion for default judgment followed the Clerk for the Southern District of New York issuance and entry of a Certificate of Default against these defendants on or about September 24, 2012 by. (Dkt. No. 8.)

8. On or about October 19, 2012, the Court entered an Order to Show Cause against Defendants Atherton Trust and Only Websites as to why default judgment should not be entered against them. (Dkt. No. 12.)

9. On or about November 28, 2012, after Defendants Atherton Trust and Only Websites failed to respond to the Order to Show Cause or appear for the show cause hearing, the District Court entered default judgment against them and set a schedule for briefing on the damages to be awarded against these defendants. (Dkt. No. 18.)

10. On or about March 20, 2013, the District Court issued a Memorandum Opinion and Order granted Defendant Kast's motion to dismiss for lack of personal jurisdiction. (Dkt. No. 31.)

11. Because the issue of damages to be awarded against the other defaulting defendants remains outstanding, the Court directed the Clerk not to close the case (Dkt. No. 31), and thus the New York action remains pending against Defendants Atherton Trust and Only Websites.

12. Plaintiffs now bring their claims for copyright infringement against Defendant Kast before this Court

PARTIES

14. Plaintiff Erickson Productions, Inc. ("Erickson Productions") is the sole distributor and licensor of photographic images created by Plaintiff Jim Erickson ("Erickson") (collectively "Plaintiffs").

15. Erickson owns the copyrights to the images at issue in this action

16. Erickson Productions, Inc.'s primary place of business is Petaluma, California.

17. Upon information and belief, Atherton Trust (“Atherton”) is a real estate wealth management company that was created and owned by Defendant Kast.

18. Upon information and belief, Defendant Kast is and/or was the Chief Executive Officer and sole owner and operator of Atherton Trust.

19. Upon information and belief, Defendant Kast resides at 12155 Vista Terrazza Court, Valley Center, CA, 92082.

20. Defendant Kast was the sole owner and operator of Atherton Trust and controlled all business decisions of that entity.

21. Only Websites, Inc. is a website development company with its primary place of business in American Fork or Salt Lake City, UT, with offices in Atlanta, GA and Honolulu, HI.

22. Plaintiffs now bring this action for copyright infringement against Defendant Kast for unauthorized use of Erickson's copyrighted photographs.

23. Atherton and Only Websites are not named as defendants in this action at this time because Plaintiffs' claims against them remain pending in the prior action filed in the Southern District of New York.

JURISDICTION AND VENUE

24. Jurisdiction for Plaintiffs' claims lies with the United States District Court for the Central District of California pursuant to the Copyright Act of 1976, 17 U.S.C. §§101, *et seq.*, 28 U.S.C. § 1331 (conferring original jurisdiction "of all civil actions arising under the Constitution, laws, or treaties of the United States"), and 28 U.S.C. § 1338(a) (conferring original jurisdiction over claims arising under any act of Congress relating to copyrights).

25. Venue is proper in this Court under 28 U.S.C. §§1331(b) since a substantial portion of the alleged misconduct by the Defendant Kast giving rise to the claims asserted herein occurred in California and this District and 28 U.S.C. § 1400(a) since Defendant Kast conducts substantial business, resides, and/or otherwise may be found in this District.

1 26. Venue also is proper in this District since Kast infringed Plaintiffs' copyrights in
2 this jurisdiction and his prior filings in the above-referenced Southern District of New York case
3 demonstrate that he consents to litigate here.

FACTUAL ALLEGATIONS

5 27. Plaintiff Erickson is a professional photographer who makes his living by taking
6 and licensing photographs.

28. Erickson licenses his works through his company, Erickson Productions.

9 29. Defendant Kast purchased, owned, and operated website with the following URL
10 address: www.athertontrust.com

11 30. Defendant Kast engaged Defendant Only Websites to create and publish the
12 infringing website. At all times, however, Defendant Kast was solely responsible for the content
13 of Atherton's website and he personally selected the images that appeared on this website.

31. At all times, Defendant Kast exercised control over the content of this website and
15 enjoyed benefits and derived profits from the operation of the website.

17 32. Defendant Kast copied Erickson's photographs without permission and provided
18 them to Only Websites to be published on the Atherton website for commercial use.

19 33. Specifically, Defendant Kast copied three (3) of Plaintiffs' copyrighted
20 photographs and provided them to Only Websites.

34. Defendant Kast copied Plaintiffs' photographs (along with significant other
content) from the website of Wells Fargo, one of Erickson Productions' legitimate clients that
obtained a legitimate license to use these images on its website.

1 35. The following is a true and correct copy of Erickson's photograph identified or
2 referred to as "07004-278" that was copied without permission by Defendant Kast:



3
4
5
6
7 36. Defendant Kast copied this photograph from the Wells Fargo website without
8 permission and provided it to Only Websites.

9 37. Defendant Kast instructed Only Websites to publish Plaintiffs' photograph on the
10 "Our Commitment" page of the Atherton website which was located at the URL address
11 <http://www.athertontrust.com/commitment.php>.

12 38. A true and correct copy of the infringing use of Plaintiffs' photo on the "Our
13 Commitment" webpage is attached hereto as Exhibit 1.

14
15 39. Kast's unauthorized use of the Erickson image on the "Our Commitment" page of
16 the Atherton website was copied from the "Our Approach" page of the Wells Fargo website
17 which was located at the URL address <https://www.wellsfargo.com/theprivatebank/ourapproach/>.

18 40. A true and correct copy of Wells Fargo's "Our Approach" webpage is attached
19 hereto as Exhibit 4.

20
21 41. The following is a true and correct copy of Erickson's photograph identified or
22 referred to as "01018-03" that was copied without permission by Defendant Kast:



23
24
25
26
27 42. Defendant Kast copied this photograph from the Wells Fargo website without
28 permission and provided it to Only Websites.

1 43. Defendant Kast instructed Only Websites to publish Plaintiffs' photograph on the
2 "Your Needs" page of the Atherton website which was located at the URL address
3 <http://www.athertontrust.com/your-needs.php>.

4 44. A true and correct copy of the infringing use of Plaintiffs' photo on the "Our
5 Commitment" webpage is attached hereto as Exhibit 2.

6 45. Kast's unauthorized use of the Erickson image on the "Your Needs" page of the
7 Atherton website was copied from the "Your Profile" page of the Wells Fargo website which
8 was located at the URL address <https://www.wellsfargo.com/theprivatebank/yourprofile/>.

9 46. A true and correct copy of Wells Fargo's "Our Approach" webpage is attached hereto as
10 Exhibit 5.

11 47. The following is a true and correct copy of Erickson's photograph identified or
12 referred to as "07006-3520" that was copied without permission by Defendant Kast:



13 48. Defendant Kast copied this photograph from the Wells Fargo website without
14 permission and provided it to Only Websites.

15 49. Defendant Kast instructed Only Websites to publish Plaintiffs' photograph on the
16 "Our Solutions" page (<http://www.athertontrust.com/our-solution.php>) of the Atherton website.

17 50. A true and correct copy of the infringing use of Plaintiffs' photo on the "Our
18 Commitment" webpage is attached hereto as Exhibit 3.

19 51. Kast's unauthorized use of the Erickson image on the "Our Solutions" page of the
20 Atherton website was copied from the "Our Solutions" page of the Wells Fargo website which
21 was located at the URL address <https://www.wellsfargo.com/theprivatebank/oursolutions/>.

1 52. A true and correct copy of Wells Fargo's "Our Approach" webpage is attached
2 hereto as Exhibit 6.

3 53. Defendant Kast copied, published, distributed, and otherwise exploited Plaintiffs'
4 photographs without obtaining permission or purchasing a license to do so.

5 54. Plaintiffs registered Erickson's copyrights in the photographs used by Defendant
6 Kast with the United States Copyright Office.

7 55. Image 01018-03 is registered under Copyright Registration VA 1-734-754.

8 56. Image 07004-278 is registered under Copyright Registration VA 1-745-747.

9 57. Image 07006-3520 is registered under Copyright Registration VA 1-632-501.

10 58. Plaintiffs' copyrights in all three works were registered with the U.S. Copyright
11 Office prior to Defendant Kast's infringements.

12 59. After being notified that Plaintiffs owned copyrights in these images, Kast refused
13 to cooperate with Plaintiffs and their counsel.

14 60. Among other obstructionist actions, Kast removed or transferred assets from
15 Atherton Trust in a transparent effort to insulate them from any judgment.

16 61. Despite claiming to be the managing officer of Atherton Trust, Kast did not
17 secure counsel for Atherton Trust and did not take any other steps to preserve Atherton Trust's
18 ability to satisfy any judgment against it. Instead, Kast transferred assets from Atherton Trust in
19 order to benefit himself personally.

20 62. Defendant Kast's conduct demonstrates that his infringements were willful and
21 knowing.

22 63. Defendant Kast's conduct also demonstrates that he intended to and did abuse the
23 corporate structure of Atherton Trust to hide his personal business dealings and to avoid
24 judgment for his personal misconduct, including infringing Plaintiffs' copyrights.

COUNT I
COPYRIGHT INFRINGEMENT

64. Plaintiffs repeat and reallege each allegation set forth above as if set forth fully herein.

65. Plaintiff Jim Erickson is the registered copyright owner of the creative works identified herein and that are the subject of this action.

66. Plaintiff Erickson Productions is the sole distributor and licensor of this content.

67. Defendant Kast copied Plaintiffs' creative works without license or permission from the Wells Fargo website.

68. Defendant Kast also distributed Plaintiffs' creative works to Only Websites without a license.

69. Defendant Kast also directed Only Website to use and publish Plaintiffs' creative works despite knowing that he lacked a license for such uses.

70. Defendant Kast is the person primarily responsible for the content of the Atherton website and exercised control over the content of the Atherton website.

71. Defendant Kast personally copied Plaintiffs' images from the Wells Fargo website and personally distributed the photos to Only Websites

72. Defendant Kast's infringements were willful, knowing and intentional

73. By copying, distributing, displaying, publishing, and otherwise exploiting Erickson's copyrighted creative works, Defendant Kast infringed Erickson's copyrights in the creative works identified herein and caused Plaintiffs significant injuries, damages, and losses in amounts to be determined at trial.

74. Plaintiffs seek all damages recoverable under the Copyright Act, including statutory or actual damages, including Defendants' profits attributable to the infringements, and damages suffered as a result of the lack of compensation, credit, and attribution and from any

diminution in the value of Plaintiffs' copyrighted works. Plaintiffs also seek all attorneys' fees and any other costs incurred in pursuing and litigating this matter.

COUNT II
CONTRIBUTORY AND VICARIOUS COPYRIGHT INFRINGEMENT

75. Plaintiffs repeat and reallege each allegation set forth above as if set forth fully herein.

76. Defendant Kast copied Plaintiffs' creative works without license or permission from the Wells Fargo website and then distributed Plaintiffs' works to Only Websites and directed Only Website to use and publish Plaintiffs' creative works despite knowing that he lacked a license for such uses

77. Defendant Kast is the person primarily responsible for the content of the Atherton website and exercised control over the content of the Atherton website.

78. Defendant Kast materially contributed to, facilitated, induced, or otherwise is responsible for the directly infringing acts carried out by Only Websites and Atherton Trust.

79. Defendant Kast exercised control over the content of the Atherton Trust website and had the ability to prevent Only Websites from copying and publishing Plaintiffs' photos

80. When Only Websites published Plaintiffs' photos, it was acting at the direction, behest, on behalf of, for, and under the control of Defendant Kast

81. Defendant Kast obtained direct financial benefits from the infringements of Only Websites and Atherton Trust and he was aware of their use of Plaintiffs' photos and that they lacked a license to use Plaintiffs' photos.

82. Defendant Kast enabled the infringements of Atherton Trust and Only Websites, and without his misconduct Atherton Trust and Only Websites would not have infringed Plaintiffs' copyrights.

83. Defendant Kast's infringements were willful, knowing, and intentional.

1 84. By copying, distributing, displaying, publishing, and otherwise exploiting
2 Erickson's copyrighted creative works, Defendant Kast infringed Erickson's copyrights in the
3 creative works identified herein and caused Plaintiffs significant injuries, damages, and losses in
4 amounts to be determined at trial.

5 85. Plaintiffs seek all damages recoverable under the Copyright Act, including
6 statutory or actual damages, including Defendants' profits attributable to the infringements, and
7 damages suffered as a result of the lack of compensation, credit, and attribution and from any
8 diminution in the value of Plaintiffs' copyrighted works. Plaintiffs also seek all attorneys' fees
9 and any other costs incurred in pursuing and litigating this matter.

11

12 **WHEREFORE**, Plaintiffs respectfully pray for judgment on their behalf and for the
13 following relief:

14 1. A preliminary and permanent injunction against Defendant Kast from copying,
15 displaying, distributing, advertising, promoting, and/or exploiting in any manner the copyrighted
16 works identified herein, and requiring Defendant to deliver to the Court for destruction or other
17 appropriate disposition all relevant materials, including digital files of Plaintiffs' photographs
18 and all copies of the infringing materials described in this complaint that are in the control or
19 possession or custody of Defendant;

21 2. All allowable damages under the Copyright Act, including, but not limited to,
22 statutory or actual damages, including damages incurred as a result of Plaintiffs' loss of licensing
23 revenue and Defendant Kast's profits attributable to infringements, and damages suffered as a
24 result of the lack of credit and attribution;

26 3. Plaintiffs' full costs, including litigation expenses, expert witness fees, interest,
27 and any other amounts authorized under law, and attorneys' fees incurred in pursuing and
28 litigating this matter;

4. Any other relief authorized by law, including punitive and/or exemplary damages;

and

5. For such other and further relief as the Court deems just and proper.

Dated: September 24, 2013
Los Angeles, California.

Respectfully submitted,

Law Offices of Robert K. Wright
Robert K. Wright (SBN 73235)
rkwlaw@earthlink.net
301 North Lake Avenue, Suite 700
Pasadena, CA 91101
Telephone: (626) 796-2664
Fax: (626) 796-1601

and

NELSON & McCULLOCH LLP
Kevin P. McCulloch (to be admitted *pro hac vice*)
155 East 56th Street
New York, New York 10022
T: (212) 355-6050
F: (646) 308-1178
kmcculloch@nelsonmcculloch.com

Attorneys for Plaintiffs

EXHIBIT 1


▼ Atherton Trust
[Your Needs](#)
[Your Goals](#)
[Our Approach](#)
» Commitment
[People](#)
[Methodology](#)
[Our Solutions](#)

Our Commitment to you

We take our responsibilities as Trustees very seriously. It is our goal not to lose your original principle whether it is invested in securities, real estate or collectibles. Using the tools available to us we make every effort to achieve that goal while seeking optimum returns within your risk tolerance.



We meld commitment, people and methodology together to form our approach to meeting your individual needs and achieving your goals.

► 1. Act In Your Best Interest

[Show Details](#)

► 2. Follow a Fiduciary Duty Standard Of Care

[Show Details](#)

► 3. Deliver Attentive, Personalized Service

[Show Details](#)

► 4. Leverage our proven processes and consultative approach

[Show Details](#)

► 5. Build Customized, Integrated Investment Plans

[Show Details](#)

► 6. Achieve Goals And Experience Long-Term Success Through Strategic Advice

[Show Details](#)

► 7. Offer A Team For Each Client

[Show Details](#)

► 8. Manage Your Team Well

[Show Details](#)

► 9. Focus On Professional Advice, Not On Products

[Show Details](#)

► 10. Align Fee Structure with Your Best Interests

[Show Details](#)

► 11. Practice Full Disclosure and Seek Transparent Costs

[Show Details](#)

► 12. Utilize The Best People Irrespective Of The Source

[Show Details](#)

► 13. Take Advantage of Research

[Show Details](#)

► 14. Practice What We Preach

[Show Details](#)

► 15. Produce Quantifiable Results

[Show Details](#)

EXHIBIT 2


▼ Atherton Trust
▼ Your Needs

- [Business Owner](#)
- [Corporate Executive](#)
- [New Wealth](#)
- [Generational Wealth](#)
- [Athlete](#)
- [Elder Care](#)
- [Life Changing Event](#)
- [Your Goals](#)
- [Our Approach](#)
- [Our Solutions](#)

Your Needs



Our focus is you.

Atherton Trust provides wealth management services to high net worth individuals who have widely varying backgrounds and needs.

Our focus is you

Atherton Trust is committed to helping you and your family build wealth, lead happy, healthy and fulfilling lives and care for aging parents or special needs children. We encourage a happy and fulfilling relationship between parents and their children and the creation of family money values. We fulfill your needs by understanding your current situation, your needs, your goals, your time horizons and your family dynamics. Our dedicated team of specialists creates an integrated lifestyle, family and professional plan that enables you and the members of your family to achieve your collective and individual goals while satisfying your personal needs.

Many parents do not want to be a burden to their children when they become older. Knowing you have the financial resources to remain independent is only part of solution, you also want the peace of mind that comes from having compassionate experienced care givers to meet your daily needs when the time comes. The comfort of knowing you will be well cared for, frees parents from the anxiety of burdening their children and grandchildren. In some cases, parents have acted as a referee between their children. Who will take your place to keep peace between your children? Another common question is how to keep your children from fighting over the estate or squandering it when you are gone? Yet another common question is who will manage your family business when you are no longer able to? Atherton Trust has the answers to these and many of your other questions.

Whether you are a business owner, corporate executive, a recipient of new wealth or generational wealth, an professional athlete, a person in need of Elder Care or a person who has experienced a life changing event, we have the experienced team of specialists who will help you with your needs and help you to achieve your goals.

To learn more about how we can work with you, please contact us.

[About Us](#) | [Resources](#) | [Contact Us](#) | [Your Needs](#) | [Your Goals](#) | [Our Approach](#) | [Our Solutions](#)

Copyright © 2010. Atherton Trust | The Private Trust Company

Web Design by Only Websites, Inc.

EXHIBIT 3



▼ Atherton Trust

[Your Needs](#)

[Your Goals](#)

[Our Approach](#)

▼ Our Solutions

[Wealth Planning](#)

[Trust & Guardian Services](#)

[Elder Care](#)

[Investments](#)

[Insurance](#)

[Private Banking](#)

[Philanthropic Advisory](#)

[Family Wealth](#)

[Specialized Wealth Solutions](#)

[Asset Management](#)

Our Solutions



The solutions you need. The service you want, when you want it.

Comprehensive tailored solutions

Your Relationship Manager coordinates your team of wealth management and lifestyle professionals, each a recognized specialist in Wealth Management, Asset Management, Trusts, Investments, Philanthropy, Elder Care, Insurance, Private Banking, and Family and Lifestyle Services. There are only a few advisors in each specialty who are recognized by their peers as being the very best at what they do; these are the advisors on your team. We meld a team of elite professionals, chosen just for you, based on your unique criteria, to meet your individual needs and goals. Your Wealth Management team works with your CPA, Attorney or any of your current professional advisors, to custom design the best solutions for you and your family. As your needs and goals change, your team adjusts and executes your plan to meet your current and future needs and goals.

Wealth Planning

Wealth Planning is the framework for us to provide your financial and personal resources

[Read more...](#)

Asset Management

Professional management to grow the value of your real estate, securities or collectibles

[Read more...](#)

Trust Solutions

Transition your wealth with the minimum of taxes

[Read more...](#)

Investments

Loss prevention strategies combined with sound investment choices

[Read more...](#)

Insurance

Life and Property & Casualty insurance solutions to meet your personal and business risk management and wealth transfer goals

[Read more...](#)

Philanthropic Advisory

We help you choose the best run charities whose mission aligns with your giving plans

[Read more...](#)

Private Banking

Access the best banking services from the most solvent banking sources

[Read more...](#)

EXHIBIT 4

[About Wells Fargo](#) | [Careers](#) | [Privacy, Security & Legal](#) | [Report Email Fraud](#)

© 2011 Wells Fargo. All rights reserved. NMLS ID 399801

EXHIBIT 5



THE PRIVATE BANK

Username: Password:

Contact Us | Family Wealth | wellsfargo.com

The Private Bank

Your Goals

> Your Profile

Our Solutions

Our Approach

Your Profile



A focus on understanding you.

Wells Fargo Private Bank provides wealth management services to high net worth individuals who have widely varying backgrounds and needs.

Our focus is on you

Your dedicated relationship manager is focused on understanding you and your family – including your current situation, your goals, your time horizons and your family dynamics.

Based on this foundational understanding, your relationship manager will bring together a dedicated team of specialists who will work together to create an integrated, customized wealth plan to help you achieve your goals. We tailor your wealth plan and bring together [wealth planning](#), [private banking](#), [investments](#), [trust solutions](#), [specialized wealth solutions](#) and [insurance](#) for your unique needs.

We hope the illustrative profiles referenced below give you an idea of how we work with a few different types of clients, so that you can begin to understand the care we would take in developing a customized wealth strategy for you.

[Business Owner](#)
[Corporate Executive](#)
[New Wealth](#)
[Generational Wealth](#)
[Professional Advisor](#)

To learn more about how we can work with you, please [contact us](#).

Wells Fargo Private Bank provides products and services through Wells Fargo Bank, N.A. and its various affiliates and subsidiaries.

Brokerage products and services are offered through Wells Fargo Advisors. Wells Fargo Advisors is the trade name used by two separate registered broker-dealers: Wells Fargo Advisors, LLC and Wells Fargo Advisors Financial Network, LLC, (Members [SIPC](#)), non-bank affiliates of Wells Fargo & Company.

Insurance products are offered through our affiliated non-bank insurance agencies (California license #26-0070024).

Investment and Insurance Products:

- Are Not insured by the FDIC or any other federal government agency
- Are Not deposits of or guaranteed by a Bank or any Bank Affiliate
- May Lose Value

[Your Goals](#) | [Your Profile](#) | [Our Solutions](#) | [Our Approach](#)[About Wells Fargo](#) | [Careers](#) | [Privacy, Security & Legal](#) | [Report Email Fraud](#)

© 2011 Wells Fargo. All rights reserved. NMLS ID 399801

EXHIBIT 6

Username: Password:

Sign On

Contact Us | Family Wealth | wellsfargo.com

▼ The Private Bank[Your Goals](#)[Your Profile](#)**► Our Solutions**[Our Approach](#)**Related Information**[The Private Bank Online Tour](#)**Our Solutions**

Print this page

**The solutions and service you need.**

For more than 150 years, Wells Fargo has provided innovative wealth management solutions with a focus on client service.

A wide range of wealth management solutions

As a client of The Private Bank, you work with a relationship manager who in turn coordinates a [wealth management team](#) comprised of dedicated professionals, each a specialist in a different area of wealth management.

Our specialists work with your attorney, CPA or any of your professional advisors to custom-design the solutions most appropriate for you and your family.

At Wells Fargo Private Bank, a wide range of wealth management solutions is available to you:

- [Wealth planning](#) is core to our ability to understand your unique needs and align the appropriate wealth management solutions to meet them.
- [Private banking](#) solutions that leverage credit, deposit and cash management to help you reach your financial goals.
- [Investments](#) organized within an asset allocation plan custom designed for your specific circumstances.
- [Trust solutions](#) – Wells Fargo can help you set up a [personal trust](#), serve as your [corporate trustee](#), and administer your trust with a wide range of [trustee services](#), all tailored to your unique circumstances.
- [Specialized wealth solutions](#) for complex wealth and asset management needs, including [business advisory services](#), [philanthropic services](#), [elder services](#) and [special needs trust](#), among others.
- [Insurance](#) – we can bring you insurance solutions that are carefully synchronized with your overall wealth plan.
- [Family wealth](#) solutions, offering boutique-style service to ultra-high net worth families.

Share this page

Insights and Research**Wealth Management**

[Update: Tax Relief Act of 2010: Impact on the 12 Wealth Management Issues](#) (PDF)*

How The Act may specifically impact the 12 wealth management issues you may commonly face in your financial life.

[Podcast: New Year, Different Tax Rules](#)

From breaks on income and estate taxes to write-offs for businesses, the recently signed Tax Relief Act of 2010 seems to offer something for everyone.

Wells Fargo Private Bank provides products and services through Wells Fargo Bank, N.A. and its various affiliates and subsidiaries.

Brokerage products and services are offered through Wells Fargo Advisors. Wells Fargo Advisors is the trade name used by two separate registered broker-dealers: Wells Fargo Advisors, LLC and Wells Fargo Advisors Financial Network, LLC, (Members [SIPC](#)), non-bank affiliates of Wells Fargo & Company.

Insurance products are offered through our affiliated non-bank insurance agencies (California license #26-0070024).

Equal Housing Lender

Investment and Insurance Products:

- Are Not Insured by the FDIC or any other federal government agency
- Are Not Deposits of or Guaranteed by a Bank or any Bank Affiliate
- May Lose Value

* You need Adobe® Reader® to read PDF files. [Download Adobe Reader](#) for free.

[Your Goals](#) | [Your Profile](#) | [Our Solutions](#) | [Our Approach](#)[About Wells Fargo](#) | [Careers](#) | [Privacy, Security & Legal](#) | [Report Email Fraud](#)

© 2011 Wells Fargo. All rights reserved. NMLS ID 399801

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Beverly Reid O'Connell and the assigned Magistrate Judge is Andrew J. Wistrich.

The case number on all documents filed with the Court should read as follows:

2:13CV7160 BRO AJWx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

September 27, 2013

Date

By J.Prado
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701

Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

The Law Offices of Robert K. Wright
 Robert K. Wright
 rkwlaw@earthlink.net
 301 North Lake Ave., Suite 700
 Pasadena, CA 91101
 Telephone: (626) 796-2664

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

ERICKSON PRODUCTIONS, INC. and JIM
 ERICKSON

v.

KRAIG R. KAST

PLAINTIFF(S)

CASE NUMBER

CV13-7160 B720(AJWx)

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

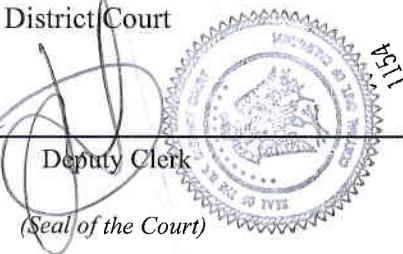
Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Kevin McCulloch, whose address is 155 East 56th Street, New York, New York 10022 (kmcculloch@nelsonmcculloch.com). If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated:

SEP 27 2013

Clerk, U.S. District Court

By: _____



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]

The Law Offices of Robert K. Wright
 Robert K. Wright
 rkwlaw@earthlink.net
 301 North Lake Ave., Suite 700
 Pasadena, CA 91101
 Telephone: (626) 796-2664

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

ERICKSON PRODUCTIONS, INC. and JIM
 ERICKSON

CASE NUMBER

CV13-7160

BRO(AJWx)

PLAINTIFF(S)

v.

KRAIG R. KAST

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Kevin McCulloch, whose address is 155 East 56th Street, New York, New York 10022 (kmcculloch@nelsonmcculloch.com). If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SEP 27 2013

Dated: _____

Clerk, U.S. District Court

By: _____

JULIE PRADO

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]

CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself)

ERICKSON PRODUCTIONS, INC. and JIM ERICKSON

DEFENDANTS (Check box if you are representing yourself)

KRAIG R. KAST

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)
 The Law Offices of Robert K. Wright
 301 North Lake Ave., Suite 700
 Telephone: (626) 796-2664

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

II. BASIS OF JURISDICTION (Place an X in one box only.)

<input type="checkbox"/> 1. U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2. U.S. Government Defendant	<input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

<input type="checkbox"/> 1. Original Proceeding	<input type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened	<input checked="" type="checkbox"/> 5. Transferred from Another District (Specify) from SDNY	<input type="checkbox"/> 6. Multi-District Litigation
---	--	---	--	--	---

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: Yes No

MONEY DEMANDED IN COMPLAINT: \$ 450,00

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Copyright Infringement, 17 USC 501, et al.

VII. NATURE OF SUIT (Place an X in one box only).

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input checked="" type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL PROPERTY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 380 Other Personal Property Damage	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 196 Franchise	REAL PROPERTY	BANKRUPTCY	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 210 Health Care/ Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 220 Personal Injury Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 230 Asbestos Personal Injury Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts			<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters			<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 895 Freedom of Info. Act			<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 896 Arbitration			<input type="checkbox"/> 443 Housing/ Accomodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
899 Admin. Procedures Act/Review of Appeal of Agency Decision			<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
950 Constitutionality of State Statutes			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV13-7160

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:	
	<input type="checkbox"/> Los Angeles	
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	
	<input type="checkbox"/> Orange	
	<input type="checkbox"/> Riverside or San Bernardino	
	INITIAL DIVISION IN CACD IS:	
	Western	
	Western	
	Southern	
	Eastern	

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		
	A PLAINTIFF?		INITIAL DIVISION IN CACD IS:
	Then check the box below for the county in which the majority of DEFENDANTS reside.		
	<input type="checkbox"/> Los Angeles		
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		
	<input type="checkbox"/> Orange		
	<input type="checkbox"/> Riverside or San Bernardino		
<input type="checkbox"/> Other			
<input type="checkbox"/> Los Angeles			
<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo			
<input type="checkbox"/> Orange			
<input type="checkbox"/> Riverside or San Bernardino			
<input type="checkbox"/> Other			

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies:	C.2. Is either of the following true? If so, check the one that applies:
<input type="checkbox"/> 2 or more answers in Column C	<input type="checkbox"/> 2 or more answers in Column D
<input type="checkbox"/> only 1 answer in Column C and no answers in Column D	<input type="checkbox"/> only 1 answer in Column D and no answers in Column C
Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below.	
If none applies, answer question C2 to the right. →	
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	WESTERN

Case 5:13-cv-05472-HRL Document 1 Filed 09/27/13 Page 31 of 31
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? NO YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? NO YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT):

Karen McCullough DATE: 9/25/13

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))